

1. Defendants' motion to dismiss (Doc. 22) is GRANTED in part and DENIED in part.
2. Defendants' motion is GRANTED as follows:
 - a. The motion is GRANTED with respect to any claims against defendants in their official capacities.
 - b. Plaintiff's claims relating to the November 2006 and June 2007 requests for religious accommodation are DISMISSED in their entirety as they are barred by the statute of limitations. The Clerk of Court is directed to TERMINATE defendants Moore, Kelchner, Hollibaugh, Burks, Shannon, and Tritt.
3. Defendants motion is DENIED in all other respects. Defendants Klemm, Liggitt, Brown and Kneal shall, within thirty days, file an answer or appropriate pre-trial motion with respect to the First and Fourteenth Amendment and RLUIPA claims arising out of the accommodation request that was sent by plaintiff on November 9, 2008, and denied on February 12, 2009.
4. Plaintiff's motion for judgment on the pleadings pursuant to Federal Rule of

Civil Procedure 12(c) is hereby CONSTRUED as plaintiff's surreply. (Doc. 36.) The Clerk of Court is directed to TERMINATE the motion.

BY THE COURT:

s/James M. Munley
JUDGE JAMES M. MUNLEY
United States District Court